

UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII

DAVID DEMAREST and GREEN MOUNTAIN
MYCOSYSTEMS LLC,

Plaintiffs,

vs.

**SECOND AMENDED
EXHIBIT LIST**

Case No.: **22-CV-00064-JAO-KJM**

RAIED J. ALFOUADI; DOE DEFENDANTS 1-20,
DOE CORPORATIONS, 1-20, DOE GOVERNMENT
AGENCIES 1-20, DOE PARTNERSHIPS 1-20,

Defendants.

| | | | | | | | |
|-------------------------|-------------|-----------------|--------|---|---|---|--|
| PRESIDING JUDGE | | | | PLAINTIFF'S ATTORNEYS | | DEFENDANT'S ATTORNEYS | |
| Honorable Jill A. Otake | | | | Kevin W. Herring, Esq. Ryan M. Toyomura, Esq. Glenn Katon, Esq. | | James V. Myhre, Esq. Brent K. Wilson, Esq. | |
| TRIAL DATE(S) | | | | COURT REPORTER | | COURTROOM DEPUTY | |
| September 15, 2025 | | | | | | | |
| PLF. NO. | DEF. NO. | DATE OFFERED | MARKED | ADMITTED | DESCRIPTION OF EXHIBITS* AND WITNESSES | | |
| | 201 | | | | Plaintiff's Complaint filed February 14, 2022 | | |
| | 202 | | | | Plaintiff's First Amended Complaint filed June 20, 2024 | | |
| | 203 | | | | Plaintiff David Demarest's Answers to Defendant Raied J. Alfouadi's First Request for Answers to Interrogatories dated February 15, 2023 | | |
| | 204 | | | | Defendant Raied J. Alfouadi's First Request for Admissions and Second Request for Answers to Interrogatories to Plaintiff David Demarest dated February 21, 2024 | | |
| | 205 | | | | Certificate of Service [Re: Defendant Raied J. Alfouadi's First Request for Admissions and Second Request for Answers to Interrogatories to Plaintiff David Demarest dated February 21, 2024] | | |

*Include a notation as to the location of any exhibit not held with the case file or not available because of size.

EXHIBIT AND WITNESS LIST – CONTINUATION

| David Demarest, et.al. vs. Raied J. Alfouadi | | | | | CASE NO. 22-CV-00064-JAO-KJM |
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| PLF. NO. | DEF. NO. | DATE OFFERED | MARKED | ADMITTED | DESCRIPTION OF EXHIBITS* AND WITNESSES |
| | 206 | | | | Email to Jared Washkowitz from Myhre & Storm transmitting Defendant Raied J. Alfouadi's First Request for Admissions and Second Request for Answers to Interrogatories to Plaintiff David Demarest dated February 21, 2024 |
| | 207 | | | | Email from Jared Washkowitz to Myhre & Storm requesting a hard copy of Defendant Raied J. Alfouadi's First Request for Admissions and Second Request for Answers to Interrogatories to Plaintiff David Demarest dated February 22, 2024 |
| | 208 | | | | Aerial photograph of Mala Wharf |
| | 209 | | | | Photograph of boat contents in Jeff Pratt's truck taken 1/2/22 (4:26 pm) |
| | 210 | | | | Photograph of boat contents in Jeff Pratt's truck taken 1/2/22 (4:26 pm) |
| | 211 | | | | Photograph of boat contents in yellow kayak taken 1/2/22 (4:26 pm) |
| | 212 | | | | Photograph of boat contents in yellow kayak taken 1/2/22 (4:26 pm) |
| | 213 | | | | Photograph of boat contents in yellow kayak taken 1/2/22 (4:26 pm) |
| | 214 | | | | Photograph of boat contents in truck with Jeff Pratt taken 1/2/22 (4:48 pm) |
| | 215 | | | | Photograph of boat contents in truck with Jeff Pratt taken 1/2/22 (4:48 pm) |
| | 216 | | | | Photograph of boat contents in Jeff Pratt's truck taken 1/2/22 (4:48 pm) |
| | 217 | | | | Photograph of Jeff Pratt with yellow diesel can and yellow flotation taken 1/2/22 (4:48 pm) |

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| | 218 | | | | Photograph of Jeff Pratt with yellow diesel can, yellow flotation and garbage bag taken 1/2/22 (4:48 pm) |
| | 219 | | | | Photograph of Mala Wharf with boat, mast, Jeff Pratt and Raied Alfouadi taken 1/2/22 (5:08 pm) |
| | 220 | | | | Photograph of Mala Wharf with boat, mast and Jeff Pratt taken 1/2/22 (5:08 pm) |
| | 221 | | | | Photograph of Mala Wharf with boat, mast and Jeff Pratt taken 1/2/22 (5:09 pm) |
| | 222 | | | | Photograph of Mala Wharf and boat without mast taken 1/4/22 (4:57 pm) |
| | 223 | | | | Photograph of Mala Wharf and boat without mast taken 1/4/22 (4:57 pm) |
| | 224 | | | | Photograph of Mala Wharf and boat without mast taken 1/4/22 (4:58 pm) |
| | 225 | | | | Close-up photograph of Mala Wharf and boat without mast taken 1/4/22 (4:58 pm) |
| | 226 | | | | Photograph of Mala Wharf and boat looking toward shore taken 1/4/22 (5:00 pm) |
| | 227 | | | | Photograph of Mala Wharf and boat looking toward shore taken 1/4/22 (5:00 pm) |
| | 228 | | | | Photograph of Mala Wharf and boat with Jeff Pratt on boat |
| | 229 | | | | Night photographs of Mala Wharf and boat (nos. 1-4) taken 1/2/22 by Cory Fernandez |
| | 230 | | | | Photographs of Mala Wharf and boat debris (nos. 5-10) taken 1/7/22 by Cory Fernandez |
| | 231 | | | | Photograph of Mala boat ramp, jetty and wharf |
| | 232 | | | | Photograph of Mala Wharf and boat |

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| | 233 | | | | Photograph of boat and jetty |
| | 234 | | | | Photograph of blocked entrance to Mala Wharf |
| | 235 | | | | Photograph of beginning of Mala Wharf |
| | 236 | | | | Photograph of middle of Mala Wharf |
| | 237 | | | | Photograph of Mala boat ramp, jetty and wharf |
| | 238 | | | | Close-up photograph of Mala boat ramp, jetty and wharf |
| | 239 | | | | Photograph of Mala jetty and wharf |
| | 240 | | | | Photograph of Mala jetty and wharf |
| | 241 | | | | Photograph of Mala jetty and end of wharf |
| | 242 | | | | Photograph of Mala jetty and wharf looking north |
| | 243 | | | | Photograph of Mala jetty and wharf looking toward shore |
| | 244 | | | | Photograph of Mala boat ramp, jetty and wharf looking toward shore |
| | 245 | | | | Photograph of Lahaina Welding |
| | 246 | | | | Close-up photograph of Lahaina Welding |
| | 247 | | | | Photograph of Mala boat ramp, jetty and wharf taken from Lahaina Welding |
| | 248 | | | | Recreational Boating Accident Report dated 1/4/22 |
| | 249 | | | | Affidavit of Facts signed by David Demarest |
| | 250 | | | | Investigation Report by Cory Fernandez dated January 2, 2022 |
| | 251 | | | | Notes by Cory Fernandez |
| | 252 | | | | Raied Alfouadi's email to Cory Fernandez dated 1/7/22 |

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| PLF. NO. | DEF. NO. | DATE OFFERED | MARKED | ADMITTED | DESCRIPTION OF EXHIBITS* AND WITNESSES |
| | 253 | | | | State Farm Boat Owner's Declaration |
| | 254 | | | | State Farm Boat Owner's Policy |
| | 255 | | | | Records produced by State of Hawaii, Department of Land and Natural Resources, Division of Boating and Ocean Recreation |
| | 256 | | | | DLNR Lay Net Registration issued to Raied J. Alfouadi |
| | 257 | | | | DCCA Application for Certificate of Authority for Foreign Limited Liability Company |
| | 258 | | | | State of Vermont Office of Secretary of State Certificate of Good Standing |
| | 259 | | | | Department of Commerce and Consumer Affairs Certificate of Authority dated January 14, 2022 |
| | 260 | | | | DCCA Green Mountain Mycosystems, LLC. business registration dated January 12, 2022 |
| | 261 | | | | Green Mountain Mycosystems, LLC.'s website |
| | 262 | | | | Diary of work performed by David Demarest |
| | 263 | | | | Worksheet of Expenses for Salvage and Wreck Disposal of Grounded Vessel HA 6874H by Green Mountain Mycosystems, LLC. |
| | 264 | | | | Preliminary Scopic Sheet |
| | 265 | | | | David Demarest's expense receipts |
| | 266 | | | | Sebastian Coppes' Curriculum Vitae |
| | 267 | | | | Sebastian Coppes' Fee Schedule |
| | 268 | | | | Sebastian Coppes' Report dated April 18, 2023 |
| | 269 | | | | Sebastian Coppes' Report dated November 30, 2023 |
| | 270 | | | | William Leschaeve's Curriculum Vitae |

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| | 271 | | | | William Leschaeve's Fee Schedule |
| | 272 | | | | William Leschaeve's Report dated September 12, 2023 |
| | 273 | | | | William Leschaeve's Report dated March 21, 2024 |
| | 274 | | | | Email string between David Demarest and DLNR representatives Russell Sparks and Brian Neilson |
| | 275 | | | | Photo of lift bag box 572499 |
| | 276 | | | | Photo of Lift bag box invoice no. 7171 |
| | 277 | | | | Photo of Lift bag box 572499 |
| | 278 | | | | Photo of Lift bag box 572499 |
| | 279 | | | | David Demarest Timesheet |
| | 280 | | | | Jeffrey Pratt Timesheet |
| | 281 | | | | Contract for Exchange of Services (Demarest/McCarthy) |
| | 282 | | | | Lloyd's Standard Form of Salvage Agreement |
| | 283 | | | | Scopic Rates 2020 |
| | 284 | | | | Lloyd's Form of Salvage Agreement for Grounded 29 foot Sailing Vessel HA 6874H |
| | 285 | | | | Web posting of items on CL despite a federal lien |
| | 286 | | | | Web posting attempts to illegally sell on Craigslist |
| | 287 | | | | Email dated 1/19/22 from David Demarest to Robert T. Abrew |
| | 288 | | | | Text message between Matthew McCarthy and Raied Alfouadi |
| | 289 | | | | Photographs of Mala Wharf and surrounding |
| | 290 | | | | Video [20220104_194037V] Night boat in water |

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| | 291 | | | | Video [20220104_200331V] Night boat in water with dinghy. |
| | 292 | | | | Video [20220104_215807V] Debris on rock jetty and boat in water secured. |
| | 293 | | | | Video [20220106_073124V] Gas tank and other contents at Lahaina Welding. |
| | 294 | | | | Video [20220106_143638V] Contents in dumpster at Lahaina Welding |
| | 295 | | | | Video [20220106_161400goodvideoondustextractionV] |
| | 296 | | | | Video [20220106_175359LahainaWeldingPartialExampleOfItemsUsedV] |
| | 297 | | | | Video [20220106_181058V] Dust at wharf and rock jetty. |
| | 298 | | | | Video [20220107_081524V] Demarest's feet and hands. |
| | 299 | | | | Video [20220108_141125V] Tour guides with snorkels in vicinity of Mala Wharf. |
| | 300 | | | | Video [20220108_154155documentationofpartofteamands alvagegoingonatbusypublicrampV] |
| | 301 | | | | Video [20220108_155647epoxyV] Truck with contents. |
| | 302 | | | | Video [20220109_073859V] Truck |
| | 303 | | | | Video [20220109_091933V] Clear day of wharf and jetty. |

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| | 304 | | | | Video [20220109_120355documentingsignificanttouristus eofareaafterwreckV] Truck, jetty and wharf. |
| | 305 | | | | Video [20220109_171825V] Clear day wharf, jetty and ocean. |
| | 306 | | | | Video [20220111_080513V] Debris, truck at Lahaina Welding. |
| | 307 | | | | Video [20220113_124734V] Boat pieces at Lahaina Welding. |
| | 308 | | | | Video [20220115_112324V] Contents in pickup truck. |
| | 309 | | | | Coppes salvage photo overturned ship |
| | 310 | | | | Coppes salvage photo burning ship with tug |
| | 311 | | | | Coppes salvage photo burning ship with aircraft |
| | 312 | | | | Coppes salvage photo listing ship |
| | 313 | | | | US Coast Guard Basic Order Agreement rate sheet |
| | 314 | | | | Alfouadi/State Farm Proof of Insurance |
| | 315 | | | | Alfouadi/State Farm Declarations effective 1/22/22 to 1/22/23 |
| | 316 | | | | State Farm Boat Owner's Policy (BO-2100) |
| | 317 | | | | Photograph of boat contents in Jeff Pratt's truck taken 1/2/22 (4:26 pm) |
| | 318 | | | | Photograph of boat contents in Jeff Pratt's truck taken 1/2/22 (4:26 pm) |
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